

49-16-601.5 Line-of-duty disability benefit -- Benefits -- Monthly allowance.

- (1) An active member of this system who is unable to perform firefighter service due to a physical or mental condition incurred in the line-of-duty may apply to the office for a disability retirement benefit under this section.
- (2) If the condition is classified by the office as a line-of-duty disability, the member shall be granted a disability retirement benefit subject to Section 49-16-602.
- (3) A paid firefighter who has five years of firefighter service credit is eligible for a line-of-duty disability benefit resulting from heart disease, lung disease, or a respiratory tract condition.
- (4) A paid firefighter who receives a service connected disability benefit for more than six months due to violence or illness other than heart disease, lung disease, or respiratory tract condition, and then returns to paid firefighter service, may not be eligible for a line-of-duty disability benefit due to heart disease, lung disease, or respiratory tract condition for two years after the firefighter returned to work unless clear and convincing evidence is presented that the heart disease, lung disease, or respiratory tract condition was directly a result of firefighter service.
- (5) The monthly disability retirement benefit is 50% of the member's final average salary.

Amended by Chapter 40, 2013 General Session